



February 28, 2003

HOUSE BILL No. 1977

DIGEST OF HB 1977 (Updated February 27, 2003 9:20 AM - DI 96)

Citations Affected: IC 9-30.

Synopsis: Defensive driving school programs. Revises the number and classification of traffic violations for which the bureau of motor vehicles may require a person to attend and satisfactorily complete a defensive driving school program. Restricts the cost for a driver improvement course to no more than: (1) \$60 for a classroom presentation; and (2) \$80 for a distance learning presentation.

Effective: July 1, 2003.

Friend, Herrell, Wolkins, Stutzman

January 23, 2003, read first time and referred to Committee on Roads and Transportation.
February 27, 2003, amended, reported — Do Pass.

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February 28, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1977

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-30-3-12, AS AMENDED BY P.L.225-1999,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 12. (a) If during any twelve (12) month period a
4 person has committed a moving traffic **violation or moving traffic**
5 **violations** for which the person has:
6 (1) been convicted of at least two (2) traffic misdemeanors;
7 (2) had at least two (2) traffic judgments entered against the
8 person; ~~or~~
9 (3) been convicted of at least one (1) traffic misdemeanor and has
10 had at least ~~one (1)~~ **two (2)** traffic ~~judgment~~ **judgments** entered
11 against the person; **or**
12 **(4) had one (1) judgment entered against the person for a**
13 **violation of IC 9-21-5 in which the person exceeded the**
14 **maximum speed limit by at least twenty-five (25) miles per**
15 **hour;**
16 the bureau may require the person to attend and satisfactorily complete
17 a defensive driving school program. The person shall pay all applicable

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fees required by the bureau.

(b) This subsection applies to an individual who holds a probationary license under IC 9-24-11-3 or is less than eighteen (18) years of age. An individual is required to attend and satisfactorily complete a defensive driving school program if either of the following occurs at least twice or if both of the following have occurred:

(1) The individual has been convicted of a moving traffic offense (as defined in section 14(a) of this chapter), other than an offense that solely involves motor vehicle equipment.

(2) The individual has been the operator of a motor vehicle involved in an accident for which a report is required to be filed under IC 9-26-2.

The individual shall pay all applicable fees required by the bureau.

(c) The bureau may suspend the driving license of any person who:

(1) fails to attend a defensive driving school program; or

(2) fails to satisfactorily complete a defensive driving school program;

as required by this section.

(d) Notwithstanding IC 33-19-5-2, any court may suspend one-half (1/2) of each applicable court cost for which a person is liable due to a traffic violation if the person enrolls in and completes a defensive driving school or a similar school conducted by an agency of the state or local government.

SECTION 2. IC 9-30-3-16, AS AMENDED BY P.L.118-2001, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) If a person has been found to have committed a traffic offense, the court may do the following:

(1) Require the person to attend and satisfactorily complete a driver improvement course that has been approved by the court and the bureau or by the bureau.

(2) Place the person on probation for up to one (1) year.

(3) Suspend the person's driver's license for up to thirty (30) days.

(b) A driver improvement course required under subsection (a) may be financed by assessing a charge that covers the direct cost of the course. However, the charge may not exceed:

(1) ~~thirty dollars (\$30)~~ **sixty dollars (\$60)** for a classroom presentation; or

(2) ~~forty dollars (\$40)~~ **eighty dollars (\$80)** for a distance learning presentation.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1977, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "Subsection (b) does not apply to a".

Page 1, delete lines 4 through 5.

Page 1, line 6, delete "(b)".

Page 1, run in lines 3 and 6.

Page 1, line 6, after "committed" insert "a".

Page 1, line 7, after "traffic" insert "**violation or moving traffic**".

Page 1, line 10, strike "or".

Page 1, line 12, strike "one (1)" and insert "**two (2)**".

Page 1, line 12, strike "judgment" and insert "**judgments**".

Page 1, line 12, after ";" insert "**or**".

Page 1, between lines 12 and 13, begin a new line block indented and insert:

"(4) had one (1) judgment entered against the person for a violation of IC 9-21-5 in which the person exceeded the maximum speed limit by at least twenty-five (25) miles per hour;"

Page 1, line 16, reset in roman "(b)".

Page 1, line 16, delete "(c)".

Page 2, line 11, reset in roman "(c)".

Page 2, line 11, delete "(d)".

Page 2, line 17, reset in roman "(d)".

Page 2, line 17, delete "(e)".

Page 2, after line 21, begin a new paragraph and insert:

"SECTION 2. IC 9-30-3-16, AS AMENDED BY P.L.118-2001, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) If a person has been found to have committed a traffic offense, the court may do the following:

(1) Require the person to attend and satisfactorily complete a driver improvement course that has been approved by the court and the bureau or by the bureau.

(2) Place the person on probation for up to one (1) year.

(3) Suspend the person's driver's license for up to thirty (30) days.

(b) A driver improvement course required under subsection (a) may be financed by assessing a charge that covers the direct cost of the course. However, the charge may not exceed:

(1) ~~thirty dollars (\$30)~~ **sixty dollars (\$60)** for a classroom presentation; or

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(2) ~~forty dollars (\$40)~~ **eighty dollars (\$80)** for a distance learning presentation."

and when so amended that said bill do pass.

(Reference is to HB 1977 as introduced.)

RESKE, Chair

Committee Vote: yeas 7, nays 1.

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